

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:)	
)	
FLETCHER INTERNATIONAL, LTD.,)	Chapter 11
)	
Debtor.)	Bankruptcy Case No.: 12-12796 (REG)
-----)	
FLETCHER INTERNATIONAL, LTD.,)	Adv. Proc. No.: 14-02029 (REG)
)	
Plaintiff,)	
)	STIPULATION EXTENDING
v.)	<u>SCHEDULING ORDER DEADLINES</u>
)	
RICH COURT EURO STRATEGIES INC.,)	
RICH COURT ALLWEATHER B INC.,)	
AMERICA ALTERNATIVE INVESTMENTS)	
INC., AND PITAGORA FUND LTD.)	
)	
Defendants.)	
-----)	

Plaintiff, Fletcher International, Ltd. (“**FILB**”), and defendants (i) Richcourt Euro Strategies Inc., (ii) Richcourt Allweather B Inc., and (iii) America Alternative Investments Inc. (collectively, the “**BVI Funds**”), respectfully submit this Stipulation Extending Scheduling Order Deadlines, and in support thereof, state as follows:

WHEREAS, on October 6, 2014 and October 7, 2014, FILB and the BVI Funds attended a settlement meeting at which they reached an agreement in principle that would resolve all claims asserted against the BVI Funds in the above-captioned adversary proceeding (the “**Adversary Proceeding**”), as part of a global settlement by and among FILB, the BVI Funds (and their affiliated funds not party to the Adversary Proceeding), and certain other feeder funds and investors in the “Fletcher system”;

WHEREAS, in light of the agreement in principle, on November 3, 2014, the Court “So Ordered” a Stipulation and Order Extending Scheduling Order Deadlines [Dkt. No. 20] (the “**First Amended Scheduling Order**”) setting the following discovery deadlines (the “**Amended Discovery Deadlines**”):

1. Initial disclosures are due no later than December 1, 2014;
2. Document requests are due no later than December 30, 2014;
3. All parties shall meet and confer on a schedule for expert disclosures no later than January 30, 2015;
4. All fact discovery shall be completed no later than March 2, 2015;
5. All requests for a pre-motion conference relating to motions for summary judgment shall be made no later than March 16, 2015;
6. All parties shall meet and confer to discuss settlement or use of alternative dispute resolution no later than March 16, 2015;
7. All expert discovery shall be completed no later than April 1, 2015; and
8. A Joint Pretrial Conference Order must be submitted no later than May 1, 2015.

WHEREAS, the First Amended Scheduling Order authorized the parties to extend the foregoing Amended Discovery Deadlines by thirty (30) days without further approval from the Court, provided that the parties execute and file on the docket in this Adversary Proceeding a stipulation providing for such an extension;

WHEREAS, pursuant to the First Amended Scheduling Order, the Parties agreed to extend the deadline to serve initial disclosures until December 15, 2014 [Dkt. No. 21]; and

WHEREAS, in light of the agreement in principle, on December 17, 2014, the Court “So Ordered” a Stipulation and Order Extending Scheduling Order Deadlines [Dkt. No. 22] (the “**Second Amended Scheduling Order**”) setting the following discovery deadlines (the “**Second Amended Discovery Deadlines**”):

1. Initial disclosures are due no later than January 15, 2015;
2. Document requests are due no later than January 29, 2015;
3. All parties shall meet and confer on a schedule for expert disclosures no later than March 2, 2015;
4. All fact discovery shall be completed no later than April 1, 2015;
5. All requests for a pre-motion conference relating to motions for summary judgment shall be made no later than April 15, 2015;
6. All parties shall meet and confer to discuss settlement or use of alternative dispute resolution no later than April 15, 2015;
7. All expert discovery shall be completed no later than May 1, 2015; and
8. A Joint Pretrial Conference Order must be submitted no later than June 1, 2015.

WHEREAS, in light of the agreement in principle, on January 13, 2015, the Court “So Ordered” a Stipulation and Order Extending Scheduling Order Deadlines [Dkt. No. 23] (the “**Third Amended Scheduling Order**”) setting the following discovery deadlines (the “**Third Amended Discovery Deadlines**”):

1. Initial disclosures are due no later than February 17, 2015;
2. Document requests are due no later than March 2, 2015;
3. All parties shall meet and confer on a schedule for expert disclosures no later than April 1, 2015;
4. All fact discovery shall be completed no later than May 1, 2015;
5. All requests for a pre-motion conference relating to motions for summary judgment shall be made no later than May 15, 2015;
6. All parties shall meet and confer to discuss settlement or use of alternative dispute resolution no later than May 15, 2015;
7. All expert discovery shall be completed no later than June 1, 2015; and
8. A Joint Pretrial Conference Order must be submitted no later than July 1, 2015.

WHEREAS, the Third Amended Scheduling Order authorized the parties to extend the Third Amended Discovery Deadlines by thirty (30) days without further approval from the Court, provided that the parties execute and file on the docket in this Adversary Proceeding a stipulation providing for such an extension;

WHEREAS, the parties desire to extend the Third Amended Discovery Deadlines to allow the parties time to finalize the settlement agreement.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

The Third Amended Discovery Deadlines shall be extended as follows:

1. Initial disclosures are due no later than March 19, 2015;
2. Document requests are due no later than April 1, 2015;
3. All parties shall meet and confer on a schedule for expert disclosures no later than May 1, 2015;
4. All fact discovery shall be completed no later than June 1, 2015;
5. All requests for a pre-motion conference relating to motions for summary judgment shall be made no later than June 15, 2015;
6. All parties shall meet and confer to discuss settlement or use of alternative dispute resolution no later than June 15, 2015;
7. All expert discovery shall be completed no later than July 1, 2015; and
8. A Joint Pretrial Conference Order must be submitted no later than July 31, 2015.

[Remainder of page intentionally left blank.]

Nothing contained herein shall prejudice the right of FILB and the BVI Funds to request further extensions of the deadlines set in the Third Amended Scheduling Order.

Dated: February 13, 2015

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Dated: February 13, 2015

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